Page 1 of 4

## UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

| DATATREASURY CORPORATION                                   | §       |                           |
|--|---------|---------------------------|
| PLAINTIFF  | §       |                           |
|  | §       |                           |
| VS.  | §       |                           |
| WELL GEARGO & COMPANY WELL G                               | §       |                           |
| WELLS FARGO & COMPANY; WELLS                               | §       |                           |
| FARGO BANK, NATIONAL                                       | §       |                           |
| ASSOCIATION; BANK OF AMERICA                               | §       |                           |
| CORPORATION; BANK OF AMERICA,                              | §       |                           |
| NATIONAL ASSOCIATION; U.S.                                 | §       |                           |
| BANCORP; U.S. BANK, NATIONAL                               | §       |                           |
| ASSOCIATION; WACHOVIA                                      | §<br>e  |                           |
| CORPORATION; WACHOVIA BANK,                                | §       |                           |
| NATIONAL ASSOCIATION; SUNTRUST                             | §       | Civil Action No. 2:06cv72 |
| BANKS, INC.; SUNTRUST BANK; BB&T                           | §<br>8  | CIVII ACUOII No. 2:00cv72 |
| CORPORATION; BRANCH BANKING                                | §       |                           |
| AND TRUST COMPANY;   | §       |                           |
| BANCORPSOUTH, INC.;  | §<br>8  |                           |
| BANCORPSOUTH BANK; COMPASS  DANCSHARES INC. COMPASS BANK.  | §<br>8  |                           |
| BANCSHARES, INC.; COMPASS BANK;                            | §<br>§  |                           |
| CULLEN/FROST BANKERS, INC.; THE FROST NATIONAL BANK; FIRST |         |                           |
| HORIZON NATIONAL CORPORATION;                              | §<br>§  |                           |
| FIRST TENNESSEE BANK, NATIONAL                             | 8<br>§  |                           |
| ASSOCIATION; HSBC NORTH                                    | 8<br>§  | JURY TRIAL DEMANDED       |
| AMERICA HOLDINGS INC.; HSBC                                | 8<br>§  | JUNI TRIAL DEMANDED       |
| BANK USA, N.A.; HARRIS BANKCORP,                           | 8<br>§  |                           |
| INC.; HARRIS N.A.; NATIONAL CITY                           | 8<br>§  |                           |
| CORPORATION; NATIONAL CITY                                 | 8<br>§  |                           |
| BANK; ZIONS BANCORPORATION;                                | 8<br>§  |                           |
| ZIONS FIRST NATIONAL BANK;                                 | \$<br>§ |                           |
| BANK OF NEW YORK CO., INC.;                                | \$<br>§ |                           |
| THE BANK OF NEW YORK;                                      | §       |                           |
| UNIONBANCAL CORPORATION;                                   | §       |                           |
| UNION BANK OF CALIFORNIA,                                  | §       |                           |
| NATIONAL ASSOCIATION; BANK OF                              | §       |                           |
| TOKYO-MITSUBISHI UFJ, LTD.;                                | §       |                           |
| CITIZENS FINANCIAL GROUP, INC.                             | §       |                           |
| CITY NATIONAL CORPORATION;                                 | §       |                           |
| CITY NATIONAL BANK; COMERICA                               | §       |                           |
| INCORPORATED; COMERICA BANK                                | §       |                           |
| & TRUST, NATIONAL ASSOCIATION;                             | §       |                           |
| DEUTSCHE BANK TRUST COMPANY                                | §       |                           |
| AMERICAS; FIRST CITIZENS                                   | §       |                           |
| BANCSHARES, INC.; FIRST CITIZENS                           | §       |                           |
| BANK & TRUST COMPANY; KEYCORP;                             | §       |                           |
| KEYBANK NATIONAL ASSOCIATION;                              | §       |                           |
| LASALLE BANK CORPORATION;                                  | §       |                           |
| LASALLE BANK NA; M&T BANK                                  | §       |                           |
| CORPORATION; M&T BANK; THE PNC                             | §       |                           |
| FINANCIAL SERVICES GROUP, INC.;                            | §       |                           |
| PNC BANK,NATIONAL ASSOCIATION                              | §       |                           |
| UBS AMERICAS, INC.; SMALL VALUE                            | §       |                           |
| PAYMENTS COMPANY, LLC; THE                                 | §       |                           |
| CLEARING HOUSE PAYMENTS                                    | §       |                           |

COMPANY, LLC; MAGTEK, INC; FIRST DATA CORPORATION; TELECHECK § SERVICES, INC., REMITCO, LLC and § ELECTRONIC DATA SYSTEMS CORP. § § JURY TRIAL DEMANDED

**DEFENDANTS** 

# AGREED MOTION TO EXTEND DEADLINE FOR SUBMISSION OF PARTIES' JOINT CONFERENCE REPORT

Pursuant to Fed. R. Civ. P. 26(f), the parties are required to submit to the Court a Joint Conference Report detailing the parties' agreements and disputes concerning the matters set forth in Rule 26, 14 days in advance of the scheduled Case Management Conference. The parties hereto respectfully request that the Court permit the parties additional time to complete their work on this Report, so that the number of disputed or unresolved matters requiring Court attention at the Case Management Conference on October 19 may be minimized. Specifically, the parties hereto seek Court leave to file their Joint Conference Report on or before Friday, October 13, 2006.

Respectfully submitted,

/s/ ANTHONY BRUSTER

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ATTORNEYS FOR PLAINTIFF DATATREASURY CORPORATION

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on counsel of record for Defendants on the 5<sup>th</sup> day of October, 2006.

Nix, Patterson & Roach LLP

# CERTIFICATE OF CONFERENCE

Pursuant to Local Rule 7(h), movant has contacted opposing counsel to discuss this motion and was informed that opposing counsel agree to the relief requested herein.

Nix, Patterson & Roach LLP